

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)

)

v.) Case No. 2:23 cr-00311-LSC-GMB

)

JOHN WESTLEY ROGERS, JR.,)

Defendant.)

DEFENDANT'S MOTION FOR A MORE DEFINITE STATEMENT

COMES NOW, the defendant in the above-styled proceeding, **JOHN WESTLEY ROGERS, JR.**, by and through his undersigned counsel, and moves this Honorable Court to order the Government to provide a more definite statement of the grounds for Count Twenty and Count Twenty-One of the Indictment in this case. As grounds for this motion, the Defendant submits the following:

INTRODUCTION

The Indictment filed by the Government in this case, dated September 27, 2023, charges the Defendant with Obstruction of Justice in violation of 18 U.S.C. § 1512(b)(3) and Obstruction of Justice by Bribery 18 U.S.C. § 1510(a). The Indictment lacks the necessary specificity to enable the Defendant to prepare a proper defense. The Defendant respectfully requests that the Court order the Government to provide a more definite statement of the charges in Count Twenty and Count Twenty-One.

LEGAL BASIS

Rule 7(f) of the Federal Rules of Criminal Procedure allows a defendant to request a more definite statement if the indictment "is so vague or ambiguous that the defendant cannot reasonably prepare a defense." In this case, the Indictment fails to provide sufficient details regarding the alleged actions, times, places, or persons involved, making it impossible for the Defendant to adequately prepare his defense.

SPECIFIC DEFICIENCIES

The Defendant specifically requests that the Government provide a more definite statement addressing the following deficiencies in the Indictment:

- a. Specify the dates on which the alleged offenses occurred.
- b. Identify the exact location(s) where the alleged offenses took place, if applicable.
- c. Clarify the roles or actions attributed to the Defendant in relation to the charges.
- d. Provide the names and identities of any and all co-conspirators, accomplices, individuals, and organizations involved, if applicable.

Specifically, the Defendant requests that the Government disclose the identity of "Individual #1" and "Organization #1".

e. Detail any items, property, bribes, and/or exact amount of monetary funds involved in the alleged offenses.

PREJUDICIAL EFFECT

The vague and ambiguous nature of the Indictment places the Defendant at a significant disadvantage in preparing a defense, as the Defendant is unable to discern the specific factual allegations against him. This lack of specificity violates the Defendant's due process rights and hinders his ability to effectively respond to the charges.

CONCLUSION

In light of the deficiencies in the Indictment, the Defendant respectfully requests that the Court order the government to provide a more definite statement with the necessary details to enable the Defendant to prepare a proper defense. A more definite statement is essential to uphold the Defendant's rights under the Constitution and ensure a fair and just adjudication of this case.

Respectfully submitted on this, the 11th day of October, 2023.

/s/ John C. Robbins
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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this motion upon the Office of the United States Attorney by hand delivery and through the electronic filing system of the Clerk of the District on the date and time affixed hereon.

/s/ John C. Robbins
John C. Robbins